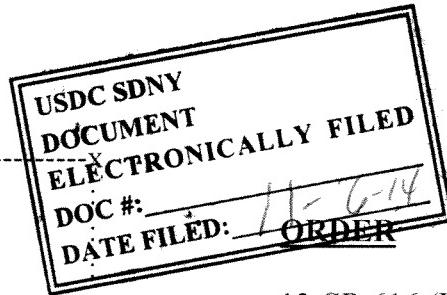


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

ROBERT LUSTYIK,
JOHANNES THALER, and
RIZVE AHMED, a/k/a "Caesar,"
Defendants.



13 CR 616 (VB)

X

After consultation with counsel at a conference held today, it is hereby ORDERED:

1. For the reasons stated on the record during the conference, defendant Robert Lustyik's ex parte application for new counsel, which will be filed under seal, is GRANTED. Mr. Mansolillo's ex parte motion to withdraw as Mr. Lustyik's counsel, which will also be filed under seal, is therefore denied as moot.
2. The Court appoints Robert Soloway, Esq., of Rothman, Schneider, Soloway & Stern, LLP, as Mr. Lustyik's new counsel pursuant to the Criminal Justice Act.
3. The protective orders entered in this case (Docs. ##20, 100) remain in effect. Accordingly, while the Court encourages Mr. Mansolillo to be as cooperative as possible in transitioning this case to Mr. Soloway, Mr. Mansolillo must comply with those protective orders.
4. The Court defers ruling on (i) the use, relevance, or admissibility of the classified materials identified in Mr. Lustyik's notice pursuant to Section 5 of the Classified Information Procedures Act ("CIPA") (Docs. ##125, 137), and (ii) the pending motions in limine (Docs. ##139, 140).
5. A conference shall be held on November 17, 2014, at 9:30.
6. The trial scheduled for November 17, 2014, is adjourned to February 9, 2015.

Dated: November 6, 2014
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Vincent L. Briccetti'.

Vincent L. Briccetti
United States District Judge